

Order

**Michigan Supreme Court
Lansing, Michigan**

April 26, 2006

Clifford W. Taylor,
Chief Justice

130300

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

CYNTHIA J. WINKLER,
Plaintiff-Appellant,

v

SC: 130300
COA: 255193
Roscommon CC: 03-723731-NM

WILLIAM L. CAREY,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the December 1, 2005 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals for the reasons stated by Judge O'Connell's dissenting opinion, and REMAND to the Roscommon Circuit Court for further proceedings not inconsistent with this order.



s0419

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 26, 2006

Corbin R. Davis

Clerk